

## Respect for Marriage Act Passes 100 Co-Sponsor Mark, Continues to Gain Support

Tuesday, 13 October 2009

WASHINGTON, D.C. – Today, on the heels of the National Equality March in Washington, Congressman Jerrold Nadler (D-NY), Congresswoman Tammy Baldwin (D-WI) and Congressman Jared Polis (D-CO) celebrated the 101th co-sponsor of their bill, the Respect for Marriage Act. This landmark legislation would repeal the Defense of Marriage Act (DOMA), a 1996 law which discriminates against lawfully married same-sex couples.

As of today, 101 Members of Congress have joined Nadler in the effort to overturn legislation which singles out legally married gay and lesbian couples for discriminatory treatment under federal law, selectively denying them critical federal responsibilities and rights, including programs like social security that are intended to ensure the stability and security of American families. Other important officials have announced their support for the Respect for Marriage Act, including former President Bill Clinton, who signed DOMA into law, former Representative Bob Barr (R-GA), who authored DOMA, and Massachusetts Attorney General Martha Coakley.

“Only weeks following the introduction of the Respect for Marriage Act, we have the support of over 100 Members of Congress for this historic bill,” said Nadler. “This is an important milestone in our efforts to remove the obnoxious and discriminatory DOMA from the books once and for all. This progress demonstrates in no uncertain terms that support for our legislation is growing every day and that there is broad support from across the country to repeal DOMA now. Gay and lesbian Americans simply must not be the target of discrimination under federal law.”

“As we add the 100th co-sponsor of the Respect for Marriage Act, the movement for full equality for LGBT Americans takes another step forward,” said Baldwin. “We celebrate this milestone and continue our efforts to repeal the discriminatory DOMA.”

“The tide is turning against DOMA,” said Polis. “The Respect for Marriage Act is gaining momentum on and off the hill, as Americans from all aspects of society are coming together to end the current discrimination of lesbian and gay couples.”

The Respect for Marriage Act would ensure that valid marriages are respected under federal law, providing couples with much-needed certainty that their marriages will be honored under federal law and that they will have the same access to federal responsibilities and rights as all other married couples.

The Respect of Marriage Act would accomplish this by repealing DOMA in its entirety and by adopting the place-of-celebration rule recommended in the Uniform Marriage and Divorce Act, which embraces the common law principle that marriages that are valid in the state where they were entered into will be recognized. While this rule governs recognition of marriage for purposes of federal law, marriage recognition under state law would continue to be decided by each state.

The Respect for Marriage Act would not tell any state who can marry or how married couples must be treated for purposes of state law, and would not obligate any person, church, city or state to celebrate or license a marriage of two people of the same sex. It would merely restore the approach historically taken by states of determining, under principles of comity and Full Faith and Credit, whether to honor a couple’s marriage for purposes of state law.

Supporters of DOMA argued in 1996 that the law is necessary to promote family structures that are best for children, but every credible medical, social science and child welfare organization has concluded that same-sex couples are equal parents. Married gay and lesbian couples pay taxes, serve their communities and raise children like other couples. Their contributions and needs are no different from those of their neighbors. The Respect for Marriage Act would ensure that couples who assume the serious legal duties of marriage are treated fairly under federal law.

The introduction of the Respect for Marriage Act responds directly to a call from President Obama for Congressional action on the issue. As the President recently confirmed: "I stand by my long-standing commitment to work with Congress to repeal the so-called Defense of Marriage Act. It's discriminatory, it interferes with States' rights, and it's time we overturned it."